

II Amendment To The Claims

Applicant cancels claims 47 and 54, amends claims 46, 48–53, 55–60, 62, 64–65 and 67–68 and introduces new claims 69–70, as set forth below in a complete listing of all of the claims in the Application with the status of each claim identified.

The Claims

Claims 1 – 45. (canceled)

Claim 46. (currently amended) An antimicrobial composition comprising consisting essentially of:

~~(A) a mixture free of polyphenol compounds and benzyl alcohol, said mixture comprising at least two lipophilic alcoholic generally recognized as safe flavoring agents which are selected from the group consisting of n-butyl alcohol, iso-butyl alcohol, L-menthol, octyl alcohol, cinnamyl alcohol, α -menthylbenzyl, alcohol, heptyl alcohol, n-amyl alcohol, iso-amyl alcohol, anisic alcohol, citronellol, decyl alcohol, geraniol, β -y-hexenol, lauryl alcohol, linalool, nerolidol, nonadienol, nonyl alcohol, rhodinol, terpineol, borneol, clineol, anisole, cuminyl alcohol, 10-un-decen-1-ol, 1-hexadecanol, or their derivatives and at least one hydrophilic non-alcoholic generally recognized as safe flavoring agent which comprises an organic acid containing from 1 to 15 carbon atoms or physiologically acceptable salt thereof or hydrophilic acetate or hydrophilic aldehyde; or~~

(B) a mixture comprising a free of benzyl alcohol and consisting essentially of at least one

generally recognized as safe flavoring agent selected from ~~the group consisting of benzyl alcohol and polyphenol compounds and at least one hydrophilic non-alcoholic generally recognized as safe flavoring agent which comprises an organic acid containing from 1 to 15 carbon atoms~~ lactic acid, a physiologically acceptable salt thereof or hydrophilic acetate or hydrophilic aldehyde, the mixture containing no other generally recognized as safe flavored alcohols.

Claim 47. (canceled)

Claim 48. (currently amended) The composition according to claim 46, wherein said ~~organic acid is~~ polyphenol compounds are selected from the group consisting of ~~acetic acid, acetic acid, formic acid, malic acid, lactic acid, phenylacetic acid, citric acid, mandelic acid, tartaric acid, fumaric acid, tannic acid, hydrocinnamic acid and mixtures thereof~~ pyrocatechol, resorcinol, hydroquinone, phloroglucinol, pyrogallol, hexahydroxybenzene, usnic acid, acylpolyphenols, lignins, anthocyanins, flavones, catechols, gallic acid derivatives such as tannins, gallotannin, tannic acids, gallotannic acid, their derivatives, such as (2,5-dihydroxyphenyl)carboxylic and (2,5-dihydroxyphenyl)alkanecarboxylic substitutions, salts, esters and amides, caffeic acid and its esters and amides, flavonoids such as flavone, flavonol, isoflavone, gossypetin, myricetin, robinetin, apigenin, morin, taxifolin, eriodictyol, naringin, rutin, hesperidin, troxerutin, chrysin, tangeritin, luteolin, quercetin, fisetin, kaempferol, galangin, rotenoids, aurones, flavonols, and flavonediols, extracts, such as from Camellia, Primula, their salts, acids, esters, oxides and ethers.

Claim 49. (currently amended) The composition according to claim 48, wherein said ~~organic acid is lactic acid~~ polyphenol compounds comprise at least one gallic acid derivative.

Claim 50. (currently amended) The composition according to claim ~~46~~ 49, wherein said ~~physiologically acceptable salts contain from 2 to 10 carbon atoms and are derived from organic acids selected from the group consisting of acetic acid, aconitic acid, formic acid, malic acid, lactic acid, phenylacetic acid, citric acid, mandelic acid, tartaric acid, fumaric acid, tannic acid, hydrocinnamic acid and mixtures thereof~~ gallic acid derivative is selected from the group consisting of tannins, gallotannin, tannic acid and gallotannic acid.

Claim 51. (currently amended) The composition according to claim 50, wherein said ~~physiologically acceptable salts are derived from lactic acid~~ gallic acid derivative is selected from the group consisting of tannins and tannic acid.

Claim 52. (currently amended) The composition according to claim 46, wherein ~~the hydrophilic acetate is selected from the group consisting of allicin, triacetin, potassium acetate, sodium acetate, calcium acetate and mixtures thereof~~ said polyphenol compounds comprise at least one flavonoid.

Claim 53. (currently amended) The composition according to claim ~~46~~ 52, wherein ~~hydrophilic aldehyde is selected from the group consisting of furfural, propenic aldehyde and vanillin~~ the at least one flavonoid is selected from the group consisting of flavone, flavonol, isoflavone, gossypetin, myricetin, robinetin, apigenin, morin, taxifolin, eriodictyol, naringen, rutin, hesperidin, troxerutin, chrysin, tangeritin, luteolin, catechols, quercetin, fisetin, kaempferol, galangin, rotenoids, aurones, flavonols and flavonediols.

Claim 54. (canceled)

Claim 55. (currently amended) The composition according to claim 54, wherein ~~the hydrophilic alcoholic generally recognized as safe flavoring agent is propylene glycol~~ said polyphenol compounds comprise at least one extract.

Claim 56. (currently amended) The composition according to claim ~~46~~ 55, wherein ~~mixture (A) additionally contains at least one essential oil~~ the extract is derived from Camellia, Primula.

Claim 57. (currently amended) The composition according to claim 46, wherein ~~mixture (B) additionally contains at least one essential oil~~ which contains from 0.01 to 99% by weight of polyphenol compounds.

Claim 58. (currently amended) The composition according to claim 46, which contains from ~~0.01%~~ 0.1% to 90% by weight, of ~~generally recognized as safe flavoring agents~~ polyphenol compounds.

Claim 59. (currently amended) The composition according to claim 46, wherein the polyphenol compounds ~~in mixture (B)~~ are selected from the group consisting of pyrocatechol, resorcinol, hydroquinone, phloroglucinol, pyrogallol, hexahydroxybenzene, usnic acid, acylpolyphenols, lignins, anthocyanins, flavones, catechols, gallic acid derivatives (such as tannins, gallotannin, tannic acids, gallotannic acids), their derivatives (such as (2,5-dihydroxyphenyl)carboxylic and (2,5-dihydroxyphenyl)alkanecarboxylic substitutions, salts, esters and amides), caffeic acid and its esters and amides, flavonoids, polyphenol derivatives, and extracts from Camellia, Primula.

Claim 60. (currently amended) The composition according to claim 46, wherein said mixture ~~(B)~~ contains from 0.01% to ~~25%~~ 50% by weight, of ~~said additional generally recognized as safe flavoring agents~~ lactic acid.

Claim 61. (previously presented) The composition according to claim 46, wherein said composition consists of generally recognized as safe flavoring agents.

Claim 62. (currently amended) The composition according to claim 46, wherein said ~~composition additionally contains emulsifiers, stabilizers, antioxidants, preservatives, solvents and/or carriers~~ mixture contains from 0.1% to 90% by weight of a polyphenol selected from the group consisting of tannins and tannic acid and 0.1 to 30% by weight lactic acid.

Claim 63. (previously presented) A microbially perishable product containing the antimicrobial composition of claim 46.

Claim 64. (currently amended) An antimicrobial composition ~~comprising~~ consisting essentially of:

~~(A) a mixture free of polyphenol compounds and benzyl alcohol, said mixture comprising at least two generally recognized as safe flavoring agents, including lactic acid and at least two lipophilic alcoholic generally recognized as safe flavoring agents which are selected from the group consisting of n-butyl alcohol, iso-butyl alcohol, L-menthol, octyl alcohol, cinnamyl alcohol, α -menthylbenzyl alcohol, heptyl alcohol, n-amyl alcohol, iso-amyl alcohol, anisic alcohol, citronellol, decyl alcohol, geraniol, β -y-hexenol, lauryl alcohol, linalool, nerolidol, nonadienol, nonyl alcohol, rhodinol, terpineol, borneol, clineol, anisole, cuminyl alcohol, 10-un-decen-1-ol, 1-hexadecanol, or their derivatives; or~~

~~(B) a mixture comprising a~~ free of benzyl alcohol
and consisting essentially of at least one
generally recognized as safe flavoring agent
selected from ~~the group consisting of benzyl~~
~~alcohol and polyphenol compounds,~~ and
comprising lactic acid, and at least one essential
oil selected from the group consisting of oils or
extracts having a high content of phenols:
origanum, thyme, rosemary, orange, fennel,
camphor, mandarin, anise, cascarilla, estragon
and pimento, the mixture containing no other
generally recognized as safe flavored alcohols

Claim 65. (currently amended) The composition according to claim 34,
wherein said ~~mixture (A) also comprises~~ at least one essential oil is anise.

Claim 66. (previously presented) A microbially perishable product
containing the antimicrobial composition of claim 64.

Claim 67. (currently amended) An antimicrobial composition ~~comprising~~
consisting essentially of:

~~(A) a mixture free of polyphenol compounds and~~
~~benzyl alcohol, said mixture comprising at least~~
~~two generally recognized as safe flavoring~~
~~agents, including at least one hydrophilic non-~~
~~alcoholic generally recognized as safe flavoring~~
~~agent, which comprises an organic acid~~
~~containing from 1 to 15 carbon atoms or~~
~~physiologically acceptable salt thereof or~~
~~hydrophilic acetate or hydrophilic aldehyde and~~
~~comprises at least two lipophilic alcoholic~~

~~generally recognized as safe flavoring agents selected from the group consisting of n-butyl alcohol, iso-butyl alcohol, L-menthol, octyl alcohol, cinnamyl alcohol, α -menthylbenzyl alcohol, heptyl alcohol, n-amyl alcohol, iso-amyl alcohol, anisic alcohol, citronellol, decyl alcohol, geraniol, β -y-hexenol, lauryl alcohol, linalool, nerolidol, nonadienol, nonyl alcohol, rhodinol, terpineol, borneol, clineol, anisole, cuminyl alcohol, 10-un-decen-1-ol, 1-hexadecanol, or their derivatives; or~~

~~(B) a mixture comprising a free of benzyl alcohol and consisting essentially of at least one generally recognized as safe flavoring agent selected from the group consisting of benzyl alcohol and polyphenol compounds, and comprising lactic acid and at least one phenol compound selected from the group consisting of thymol, methyleugenol, acetyleugenol, safrol, eugenol, isoeugenol, anethole, phenol, methylchavicol (estragol; 3-(4-methoxyphenyl)-1-propene), carvacrol, α -bisabolol, fornesol, anisole (methoxybenzene), and propenylguaethol (5-propenyl-2-ethoxyphenol), the mixture containing no other generally recognized as safe flavored alcohols.~~

Claim 68. (currently amended) The composition according to claim 67, wherein said mixture (B) ~~also comprises at least one essential oil~~ at least one phenol compound is selected from the group consisting of thymol,

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methyleugenol, estragol, carvacrol, α -bisabolol, fornesol, anisole and propenylguaethol.

Claim 69. (new) The composition according to claim 68, wherein said at least one phenol compound is selected from the group consisting of thymol, eugenol, carvacrol, anethole, phenol and anisole.

Claim 70. (new) The composition according to claim 69, wherein said at least one phenol compound is thymol.